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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: WORLD TRADE CENTER DISASTER
SITE LITIGATION

Docket Nos.: 21 MC 100 (AKH)
21 MC 102
21 MC 103

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This Document Applies to All Actions

STIPULATION CONCERNING
COMMON BENEFIT FEES

Whereas Worby Groner Edelman & Napoli Bern, LLP ("WGENB") and Sullivan Papain Block McGrath & Cannavo P.C. ("SPBMC"), serving as Court-appointed 21 MC 100 Plaintiffs' Liaison Counsel ("PLC") since September 8, 2004, have each performed significant legal work for their respective clients and, jointly, for the common benefit of all plaintiffs and claimants ("Plaintiffs") in the 21 MC 100, 102 and 103 litigation, including but not limited to: conducting extensive discovery in the phases of litigation devoted to bellwether cases and the exploration of various governmental immunities; the development of bellwether trial cases; briefing discovery and dispositive motions; preparation and argument of appeals; and the negotiation of a global settlement as set forth in the subject Settlement Process Agreement of June 10, 2010 ("SPA")

It is hereby STIPULATED AND AGREED by and between WGENB and SPBMC that:

1. WGENB and SPBMC each waive their respective rights to recover any Common Benefit fees from the other firm or from any Plaintiff in the 21 MC 100, 102 and 103 dockets represented by the other firm or from any portion of any such Plaintiff's Gross Monetary Recovery, and thus any Common Benefit Attorneys' Fee Assessment shall not apply to any claim or action in the 21 MC 100, 102 and 103 dockets in which WGENB or SPBMC is the Plaintiff's attorney of record; and

2. In consideration of the above, both WGENB and SPBMC waive, with prejudice, their respective rights, if any, to recover Common Benefit Fees from each other or each other's clients; and

3. WGENB preserves its right to seek the recovery of Common Benefit fees from other attorneys who represent Plaintiffs on the EPL who are not represented by SPBMC, with the amount of such Common Benefit Fees to be determined by the Court or, with the Court's permission, by the Court-appointed Special Masters; and

4. SPBMC waives its right, with prejudice, to seek the recovery of Common Benefit fees from other attorneys who represent Plaintiffs on the EPL who are not represented by WGENB.

Dated: September 1, 2010

Worby Groner Edelman & Napoli Bern, LLP
Plaintiffs' Co-Liaison Counsel

Sullivan Papain Block McGrath &
Cannavo P.C.
Plaintiffs' Co-Liaison Counsel



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So ordered as to paragraphs 1, 2 and
4. As to paragraph 3, I plan to
establish a procedure to regulate fees
between WGENB, as liaison counsel, and
other plaintiffs' attorneys other than
SPBMC.

September 1, 2010

